

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

x

YEKUSIEL SEBROW, an individual; on behalf
of himself and all others similarly situated,

Plaintiffs,

vs.

FULTON, FRIEDMAN, & GULLACE, LLP, a
New York Limited Liability Partnership;
THOMAS MCCARTHY, individually and in
his official capacity; JASON P. VERHAGEN,
individually and in his official capacity;
MARIA J. REED, individually and in her
official capacity; PATRICIA A. BLAIR,
individually and in her official capacity;
DANTE GULLACE, individually and in his
official capacity; CYNTHIA L. FULTON,
individually and in her official capacity;
ALLAN J. FRIEDMAN, individually and in his
official capacity; and JOHN AND JANE DOES
NUMBERS 8 THROUGH 25,

Defendants.

x

CASE NO.: 1:10-cv-05897-DLI-RER

**DECLARATION OF ROBERT L. ARLEO
IN SUPPORT OF CONSENT MOTION
FOR PRELIMINARY APPROVAL OF
CLASS SETTLEMENT AGREEMENT**

ROBERT L. ARLEO, being duly sworn, hereby deposes and says as follows:

1. My name is Robert L. Arleo, and I am one of the Class Counsel in the above-entitled action [Doc. 70]. I am an attorney duly admitted to practice law in the State of New York, before the United States District Court for the Eastern, Southern, Northern and Western Districts of New York and before the United States Courts of Appeal for the Second and Ninth Circuits.

2. I submit the herein affirmation in support of the Parties' joint motion for preliminary approval of the class settlement agreement negotiated between the parties named herein.

3. I have been a member of the New York state bar since 1991. I have been admitted to practice law before the United States District Courts for the Eastern District of New York and for the Southern District of New York since 1992. I have been admitted to practice law before the United States District Court for the Northern District of New York since 1996. I have been admitted to practice law before the United States District Court for the Western District of New York since 1999. I was admitted to practice law before the United States Court of Appeals, Second Circuit, on September 10, 1998.

4. I am a 1989 graduate of Widener University School of Law located in Wilmington, Delaware. Since my admission to the New York state bar I have practiced law as a sole practitioner and as a General Partner in the law firm of Arleo & Lochte. Arleo & Lochte was formed in 1995 and was dissolved in 1996. Prior to formation of the firm Arleo & Lochte, I was a sole practitioner. I returned to that status upon dissolution of the firm.

5. I taught consumer law in my capacity of Adjunct Professor of Law at Thomas Jefferson School of Law, an A.B.A.-approved law school located in San Diego, California from 2003 to 2005. The bulk of my legal practice is representing parties in regard to the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 *et seq.* ("FDCPA").

6. I maintain a law office at 380 Lexington Avenue, 17th Floor, New York, NY 10168. I have access to legal support staff and per diem attorneys when the need may arise.

7. I am also recognized as a leading national FDCPA attorney. I consider myself an expert in FDCPA matters. I have lectured regarding the FDCPA by invitation before the American Bankruptcy Institute and before the American Association of Retail Collection Attorneys.

8. Attached hereto as Exhibit “A,” and incorporated herein by this reference, is a true and correct listing of FDCPA lawsuits which I (or my prior law firm and other various co-counsels) have commenced on behalf of consumers from 1993 until the present. Most of those underlying actions were commenced as individual actions. Of those cases, the following actions have been certified as class actions by the court as class actions:

- (i.) *Leone v. Dun & Bradstreet*
- (ii.) *Labbate-D’Alauro v. GC Services*
- (iii.) *Brujis v. United States Credit Bureau*
- (iv.) *Hammond-Cassano v. Levy et al.*
- (v.) *Asher v. American Medical Collection Agency*
- (vi.) *Epstein v. American Medical Collection Agency*
- (vii.) *Santangelo v. Goggins and Lavintman*
- (viii.) *Romagno v. Gereboff and Gelade*
- (ix.) *Tanenbaum v. Kramsky*
- (x.) *Martinez v. Mason*
- (xi.) *Blouin v. Transworld Systems, Inc.* (D. Mass);
- (xii.) *Cali v. Suffolk Bureau of Medical Economics, Inc.* (E.D.N.Y.);
- (xiii.) *Young v. Inovision* (E.D.N.Y.);
- (xiv.) *Leventhal v. Advanced Healthcare Systems, Inc.* (E.D.N.Y.);
- (xv.) *Stavor v. Mattleman, Weinroth & Miller* (E.D.N.Y.);
- (xvi.) *Langley v. Hospital Benefits Group* (E.D.N.Y.);
- (xvii.) *Kessel v. Sonnenfeldt, et al.* (E.D.N.Y.);
- (xviii.) *Licenziato v. Preferred Legal Services* (E.D.N.Y.);
- (xix.) *Rodriguez v. ARS National Services, Inc.* (E.D.N.Y.);
- (xx.) *Smith v. Scripps Health, Inc.* (E.D.N.Y.);
- (xxi.) *Reade-Alvarez v. Eltman, Eltman & Cooper* (E.D.N.Y.);
- (xxii.) *Davern v. Arrow Financial Services, LLC* (E.D.N.Y.);

- (xxiii.) *Anderson, et al. v. Nationwide Credit, Inc.* (E.D.N.Y.);
- (xxiv.) *Gravina, et al. v. Client Services, Inc.* (E.D.N.Y.);
- (xxv.) *Harrigan v. Receivables Performance Management, LLC* (N.D.N.Y.);
- (xxvi.) *Seraji, et al. v. Capital Management Services, LP* (D. N.J.);
- (xxvii.) *Gravina, et al. v. United Collection Bureau, Inc.* (E.D.N.Y.);
- (xxviii.) *Thomasson, et al. v. GC Services Limited Partnership.* (S.D. Cal.);
- (xxix.) *Anderson, et al. v. Nationwide Credit, Inc.* (E.D.N.Y.);
- (xxx.) *Gravina, et al. v. National Enterprise Systems, Inc.* (E.D.N.Y.);
- (xxxi.) *Lagana v. Stephen Einsteins & Associates, P.C., et al.* (S.D.N.Y.);
- (xxxii.) *Castellano, et al. v. Global Credit & Collection Corp.* (E.D.N.Y.);
- (xxxiii.) *Gravina, et al. v. Weltman, Weinberg & Reis, Co., LPA.* (E.D.N.Y.); and
- (xxxiv.) *Sebrow v. Fulton, Friedman & Gullace, LLP, et al.*

9. I also served counsel for the Defendants named in the following resolved FDCPA class actions:

- (i.) *Noll v. Kohl* (E.D.N.Y.);
- (ii.) *Jurman v. Meyers, Saxon and Cole* (E.D.N.Y.);
- (iii.) *Schweitzer v. Alden, Curtis and Michaels*, (S.D.N.Y.);
- (iv.) *Anderson, et al. v. Rubin & Rothman, LLC, et al.* (E.D.N.Y.);
- (v.) *De la Paz, et al. v. Rubin & Rothman, LLC, et al.* (S.D.N.Y.).

10. To date, I have expended a total of 102 hours of time. All costs in the action have been paid by my co-counsel, William F. Horn. My normal hourly rate is \$475.00, as my hourly rate in 2006 was approved at \$420.00 in the matter of *Reade-Alvarez v. Eltman, Eltman & Cooper* (E.D.N.Y.). Thus, my total fees and costs in this matter are \$48,450.00, and I do not anticipate any further time will be spent going forward as my co-counsel, Mr. Horn, has agreed to take on that work in order to avoid duplication of work.

11. To date, I have received 17 requests from Settlement Class Members who requested exclusion from, and 2 objections to, the class settlement, all of which are attached as *Exhibit A* to the Affidavit of William F. Horn.

In accordance with 28 U.S.C. §1746, I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on this 3rd day of July 2013, at Haines Falls, New York.

s/ Robert L. Arleo

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One of the Attorneys for Plaintiff, Yekusial Sebrov, and all others similarly situated

Exhibit A

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